

STEVEN H. GURNEE, ESQ. SB# 66056
DAVID M. DANIELS, ESQ. SB# 170315
NICHOLAS P. FORESTIERE, ESQ. SB# 125118
GURNEE & DANIELS LLP
2240 Douglas Boulevard, Suite 150
Roseville, CA 95661-3805
Telephone (916) 797-3100
Facsimile (916) 797-3131

Attorneys for Defendant
PAUL A. HOUSTON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

CLAUDE BRYANT, CRAIG FULCHER,)	No. 07 CV 5696-SI
SANFORD LEVINE and THOMAS)	
THOMSON et al., on behalf of themselves)	DECLARATION OF PAUL HOUSTON IN
and all other employees and former)	SUPPORT OF HIS MOTION TO
employees similarly situated,)	DISMISS THE AMENDED COMPLAINT
)	PURSUANT TO FRCP 12(b)(2) and
Plaintiffs,)	12(b)(6)
vs.)	
)	Date: May 9, 2008
ALDERWOODS GROUP, INC., et al.)	Time: 9:00 a.m.
)	Dept.: 2
Defendants.)	

I, Paul A. Houston, hereby specially appear in this matter for the sole purpose of moving to dismiss the Amended Complaint and, in support of that motion, submit the following Declaration under penalty of perjury:

1. I am a resident of Ajax, Ontario, Canada.
2. I was previously the president and chief executive officer of Alderwoods Group, Inc. ("Alderwoods"). I have not held those positions since October, 2006.
3. I do not have, nor have I had, any ownership interest in Service Corporation International, SCI Western Market Support Center, L.P., SCI Eastern Market Support Center, L.P., SCI Houston Market Support Center, L.P., SCI Funeral And Cemetery Purchasing Cooperative, Inc., SCI California Funeral Services, Inc., or any of the funeral

1 establishments, cemeteries and other local facilities owned by a subsidiary of Service
2 Corporation International or by Alderwoods. I also do not have any ownership interest in
3 Alderwoods.

4 4. I have never resided in the State of California.

5 5. I have never owned or operated a business in the State of California.

6 6. I have never been licensed to do business in the State of California.

7 7. I have never had an office in the State of California.

8 8. I have never been employed in the State of California, nor have I employed
9 or supervised the employment of any other person in the State of California..

10 9. I have never owned any real property in the State of California.

11 10. I have never maintained a bank account in the State of California.

12 11. I have never paid taxes in the State of California.

13 12. I have never directed or controlled the day-to-day operations of any
14 business enterprise doing business within the State of California.

15 13. At no time have I ever actively managed any funeral establishment,
16 cemetery or other local facility that is owned by a subsidiary of Service Corporation
17 International.

18 14. At no time have I ever hired or terminated or supervised any of the plaintiffs,
19 nor any other employees of any funeral establishment, cemetery or other local facility that
20 is owned by a subsidiary of Service Corporation International or by Alderwoods, including
21 any such funeral establishments, cemeteries or other local facilities located in the State
22 of California.

23 15. I make this declaration based upon my own personal knowledge. If called
24 upon to testify about the matters set forth herein, I could and would do so.

25 I declare under penalty of perjury under the laws of the United States of America
26 that the foregoing is true and correct. Executed this 11 day of MARCH, 2008, at,
27 Scottsdale Arizona.

28 
PAUL A. HOUSTON

DECLARATION OF PAUL A. HOUSTON RE MOTION TO DISMISS
Case No. 07 CV 5696-SI